

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

PRINCEPS SECUNDUS LLC,
Patent Owner.

IPR2020-01134
Patent 6,703,963 B2

Before JUSTIN T. ARBES, STACEY G. WHITE, and NABEEL U. KHAN,
Administrative Patent Judges.

WHITE, *Administrative Patent Judge.*

DECISION
Dismissal Prior to Institution of Trial
35 U.S.C. § 314

With the Board’s authorization, Samsung Electronics Co., Ltd. (“Petitioner”) and Princeps Secundus LLC (“Patent Owner”) (collectively “the Parties”) filed a Joint Motion to Dismiss Petition for *Inter Partes* Review. Paper 7 (“Motion” or “Mot.”). The parties represent that there is no settlement agreement or understanding between the parties made in connection with, or in contemplation of the dismissal of the petition for *inter partes* review, aside from the understanding to file the Motion. Mot. 1.

According to the parties, termination “without adverse judgment and without a decision on institution . . . is appropriate as this *inter partes* review is in its pre-institution phase, and both parties are in agreement as to this outcome.” Mot. 1–2. Further, “Petitioner and Patent Owner certify that there is no settlement agreement or understanding between the parties made in connection with, or in contemplation of, the dismissal of the petition for *inter partes* review, aside from the understanding to file the present motion.” *Id.* at 1. The parties note that the Board has not issued a Decision on Institution. *Id.* at 2. Finally, the parties assert that “[e]fficiency and the interest of justice are best served by allowing” for the termination of this proceeding. *Id.*

Based on the record before us, we dismiss the Petition in this proceeding. The instant proceeding is in the preliminary stage. Patent Owner did not file a preliminary response, and we have not yet considered the merits of the Petition. Petitioner and Patent Owner further certify that there is no agreement between the parties in this proceeding required to be filed under 37 C.F.R. § 42.74(b). Thus, dismissing the Petition pursuant to the parties’ joint request will lead to a “just, speedy, and inexpensive resolution” in this proceeding. 37 C.F.R. § 42.1(b). Under these circumstances, we determine that it is proper to dismiss the Petition and to

terminate the proceeding. 37 C.F.R. § 42.5(a); 37 C.F.R. § 42.71(a). This Decision does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

Accordingly, for the reasons discussed above, it is:

ORDERED that the Motion is *granted*, the Petition in IPR2020-01134 is *dismissed*, and the proceeding is *terminated*.

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